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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,044	05/11/2001	Sergey Doudnikov	CIT/K-146	5077
34610	7590	12/15/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			PATEL, SHEFALI D	
			ART UNIT	PAPER NUMBER
			2621	
DATE MAILED: 12/15/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/853,044	DOUDNIKOV ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shefali D. Patel	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 29 September 2005.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-22 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1)  Notice of References Cited (PTO-892)  
 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5)  Notice of Informal Patent Application (PTO-152)  
 6)  Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. The amendment was filed on September 29, 2005.

### *Interview*

1. In person interview was held on September 6, 2005.

### *Response to Arguments*

2. Applicant's arguments filed on September 29, 2005 (Remarks pages 10-13) have been fully considered but they are not persuasive.

Applicants argue on page 12 stating:

“As discussed during the personal interview, Kodama utilizes two LCD displays to generate a virtual image. In contrast, the present invention utilizes an Integral Photography method in which an aspectogram comprising at least three two-dimensional microimages is used to generate a three-dimensional image, and in which the microimages are manipulated in response to a detected movement of an observer...although Holzbach discloses an Integral Photography method for generating a three-dimensional scene, there is no teaching or suggestion as to manipulation of the microimages in response to a detected movement of the observer.”

The examiner respectfully disagrees.

The examiner has provided full motivation in detail for combining the two references, Kodama and Holzbach, in the previous office action. There are teachings in Holzbach that the examiner has pointed to regarding the motivation to combine. The examiner stated in the previous office action that, “The motivation for doing so is to present 3D information to an individual or group of observers using computer mediated 3D communications in accordance with teachings of the Holzbach invention without requiring each observer to wear special goggles or glasses (as require in Kodama) as suggested by Holzbach at col. 2 lines 44-63; and also to allow an observer to view a display from any distance without observing the anamorphic distortions, which are inherent in horizontal parallax only displays as suggested by Holzbach at col. 6 lines 64-66. Therefore, it would have been obvious to combine Holzbach with Kodama to obtain the invention as specified in claim 1.” The applicant admits on bottom of page 12 that

Holzbach discloses an Integral Photography method for generating a three-dimensional scene. And the examiner has pointed out where exactly in Holzbach there is a motivation to combine with Kodama. Hence, the rejection still stands as it was in previous office action.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kodama (US 5,917,460) in view of Holzbach (US 6,795,241).

With regard to claim 1 Kodama discloses an apparatus for displaying a three-dimensional image, which synthesizes an aspectogram comprising (*at least three*) two-dimensional microimages of a scene (the two 2D images are at 18 and 19 in Figure 2, col. 9 lines 57-64) and regenerates them in a three-dimensional image of a scene (the observer sees these two 2D images as a virtual image in 3D), the apparatus comprising: a detector (detector 20 in Fig. 2) for tracing movement of an observer head that observes the three-dimensional image, in real time and detecting a position of the observer head (tracing the movement and detecting the position on whether the observer's head is moving upwardly or downwardly with the detector 20 at col. 10 lines 1-10, 35-38); and a compensator for adjusting a viewing zone of the three-dimensional image (adjusting the view according the movement of the observer's head at col. 10 lines 55-66) (*that is synthesized from the at least three two dimensional microimages*) and/or compensating distortion of said three-dimensional image by manipulating the (*at least three*) microimages in accordance with a signal input from the detector (See, col. 10 lines 11-18). Note, Kodama in the background information discloses prior art knowledge that converts two images signal in accordance with

a three-dimensional movement of the head at col. 1 line 46 to col. 2 lines 1-10. Kodama discloses this at col. 9 lines 10-15 where the user is able to view the image “virtually” which is three-dimensional.

Kodama does not expressly disclose synthesizing *at least three two dimensional microimages of a scene* to generate a three-dimensional image. Holzbach discloses synthesizing multiple images (more than two images) to obtain a three-dimensional image of the object or a scene with reference to Figures 3-8 at col. 5 lines 62 to col. 6 lines 1-11, lines 35-38 and lines 58-67, col. 7 lines 16-35. Kodama and Holzbach are combinable because they are from the same field of endeavor, i.e., processing multiple images to generate three-dimensional image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Holzbach with Kodama. The motivation for doing so is present 3D information to an individual or group of observers using computer mediated 3D communications in accordance with teachings of the Holzbach invention without requiring each observer to wear special goggles or glasses (as require in Kodama) as suggested by Holzbach at col. 2 lines 44-63; and also to allow an observer to view a display from any distance without observing the anamorphic distortions, which are inherent in horizontal parallax only displays as suggested by Holzbach at col. 6 lines 64-66. Therefore, it would have been obvious to combine Holzbach with Kodama to obtain the invention as specified in claim 1.

With regard to **claim 2** Kodama discloses the detector (detector device 20 in figure 2) comprising a head tracking system (this detector traces the head movement at col. 10 lines 1-10), which traces movement of the observer head in real time, and a head position detector for calculating the position of the observer head traced by the head tracking system (See, col. 10 lines 55-66).

With regard to **claim 3** Kodama discloses the compensator comprising either a viewing adjust engine which adjusts the viewing zone of the three-dimensional image by moving the (*at least three*) microimages in accordance with a signal input from the head position detector (adjusting the view zone as seen in Figure 4, for example, from 25 to 26, at col. 10 lines 55-66), or a device which regenerates the (*at*

*least three) microimages* of the scene in accordance with the signal input from the head position detector to compensate distortion of the three-dimensional image (a device seen in Figure 2 regenerating the images using the image signal converter 21).

With regard to **claim 4** Kodama discloses an apparatus for displaying a three-dimensional image, comprising: an aspectogram comprising (*at least three*) of two-dimensional microimages of a scene (Figure 2 containing two-dimensional microimages 18 and 19); a head tracking system for tracing movement of an observer head that observes the three-dimensional image, in real time (tracking system 20 in Figure 3); a head position detector for calculating the position of the observer head traced by the head tracking system (See, col. 10 lines 1-10); and a viewing adjust engine for adjusting a viewing zone of the three-dimensional image by moving the (*at least three*) microimages in accordance with a signal input from the head position detector (see, col. 10 lines 55-66).

Kodama discloses microlens arrays 16 and 17 representing an image in three-dimension to an observer by using the image signal converter 21. However, Kodama does not expressly disclose microlens array for synthesizing *at least three two dimensional microimages of a scene* and regenerating them in a three-dimensional image of a scene. Holzbach discloses microlens array 34 (i.e., lenticules) on a lenticular lens sheet 32 at col. 6 lines 3-11 as seen in Figure 4. Holzbach further discloses synthesizing multiple images (more than two images) to obtain a three-dimensional image of the object or a scene with reference to Figures 3-8 at col. 5 lines 62 to col. 6 lines 1-11, lines 35-38 and lines 58-67, col. 7 lines 16-35. Kodama and Holzbach are combinable because they are from the same field of endeavor, i.e., processing multiple images to generate three-dimensional image. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Holzbach with Kodama. The motivation for doing so is present 3D information to an individual or group of observers using computer mediated 3D communications in accordance with teachings of the Holzbach invention without requiring each observer to wear special goggles or glasses (as require in Kodama) as suggested by

Holzbach at col. 2 lines 44-63; and also to allow an observer to view a display from any distance without observing the anamorphic distortions, which are inherent in horizontal parallax only displays as suggested by Holzbach at col. 6 lines 64-66. Therefore, it would have been obvious to combine Holzbach with Kodama to obtain the invention as specified in claim 1.

With regard to **claim 5** Kodama discloses a device, which regenerates the (*at least three*) microimages of the scene in accordance with the signal input from the head position detector to compensate distortion of the three-dimensional image (a device as seen in Figure 2 regenerating the images using the image signal converter 21).

With regard to **claim 6** Kodama discloses the apparatus of claim 5, wherein the regenerated microimages are movable by the viewing adjust engine to form a new viewing zone centered relative to the moved observer head (See, col. 11 lines 34-55).

With regard to **claim 7**, Kodama discloses all of the claimed subject matter as already discussed above in claims 1 and 4 and the arguments are not repeated herein, but are incorporated by reference. Claim 7 distinguishes from claim 4 only in that it recites an a device for regenerating the microimages in accordance with a signal input from the head position detector to compensate distortion of the three-dimensional image. Kodama discloses a device as seen in Figure 2 regenerating the images using the image signal converter 21.

**Claim 8** recites identical features as claim 6. Thus, arguments similar to that presented above for claim 6 is equally applicable to claim 8.

**Claim 9** recites identical features as claim 1 except claim 9 is a method claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 9.

**Claim 10** recites identical features as claim 6 except claim 10 is a method claim. Thus, arguments similar to that presented above for claim 6 is equally applicable to claim 10.

With regard to **claim 11** Kodama discloses compensating distortion of the three-dimensional image as discussed above comprising regenerating the (*at least three*) two-dimensional microimages of the scene (every time the observer moves his/her head as seen in Figure 5 the two dimensional images 18 and 19 are being regenerated, having a respective center, before image signal converter displays to the observer in three-dimension).

With regard to **claim 12** Kodama in view of Holzbach discloses a system for displaying a three-dimensional image of a scene that is generated via an aspectogram comprising (*at least three*) two-dimensional images of the scene as disclosed above in claims 1, 4, 7, and 9 and the arguments are not repeated herein, but are incorporated by reference.

**Claim 13** recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 13.

With regard to **claim 14** Kodama discloses a viewing adjust engine that adjusts the viewing zone of the three-dimensional image by moving the (*at least three*) two-dimensional images of the scene based on the position signal (adjusting the view zone as seen in Figure 4, for example, from 25 to 26, at col. 10 lines 55-66),

With regard to **claim 15** Kodama discloses a device that compensates for distortion by regenerating the (*at least three*) two-dimensional images of the scene based on the position signal (a device as seen in Figure 2 regenerating the images using the image signal converter 21, See, col. 10 lines 11-18).

**Claim 16** recites identical features as claims 14-15. Thus, arguments similar to that presented above for claims 14-15 are equally applicable to claim 16.

With regard to **claim 17** Kodama discloses the detector detecting the position of the observer by tracking the observer's head (tracing the movement and detecting the position on whether the observer's head is moving upwardly or downwardly with the detector 20 at col. 10 lines 1-10, 35-38).

With regard to **claim 18** Kodama discloses a method of manipulating a three-dimensional image of a scene that is generated via an aspectogram comprising (*at least three*) two-dimensional images of the scene (col. 9 lines 57-67), comprising: determining a position of an observer of the three-dimensional image (col. 10 lines 1-18); and manipulating the two-dimensional images of the scene based on the determined position of the observer (see, col. 10 lines 55-66, col. 12 lines 41-52).

**Claim 19** recites identical features as **claim 17**. Thus, arguments similar to that presented above for **claim 17** is equally applicable to **claim 19**.

**Claim 20** recites identical features as **claim 14**. Thus, arguments similar to that presented above for **claim 14** is equally applicable to **claim 20**.

**Claim 21** recites identical features as **claim 15**. Thus, arguments similar to that presented above for **claim 15** is equally applicable to **claim 21**.

**Claim 22** recites identical features as **claims 20-21**. Thus, arguments similar to that presented above for **claims 20-21** are equally applicable to **claim 22**.

#### *Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2621

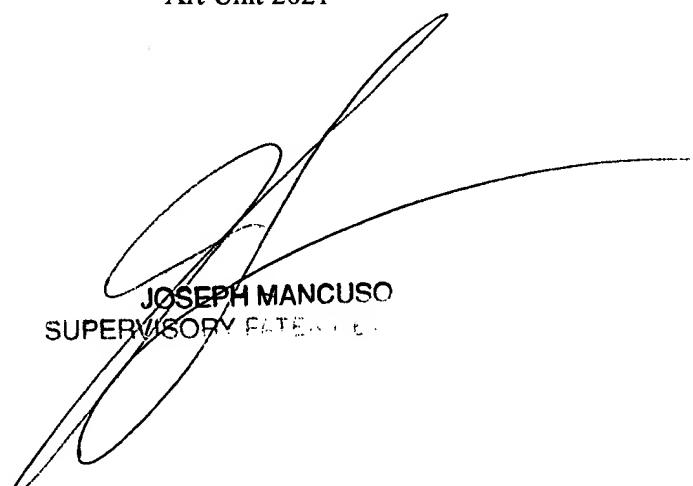
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D. Patel whose telephone number is 571-272-7396. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shefali D Patel  
Examiner  
Art Unit 2621

December 9, 2005



JOSEPH MANCUSO  
SUPERVISORY PATENT EXAMINER